

W E E N L Y

FEDERAL EMPLOYEES' NEWS DIGEST

EDITED BY JOSEPH YOUNG

GOVERNMENT COLUMNIST — THE WASHINGTON STAR

PUBLISHED IN WASHINGTON, D.C. ☆ DIRECTED TO FIELD PERSONNEL

Vol. 26, No. 10

October 4, 1976

Washington, D.C.

Copyright © 1976 by FEDERAL EMPLOYEES' NEWS DIGEST, INC.

DOWN THE DRAIN—Some important House-approved bills involving federal employees have gone down the drain due to the Senate Civil Service Committee's failure to act on them.

Most of the bills were approved by the House last year, but the Senate group either wouldn't or couldn't take them up. Consequently, the bills died with the end of the 94th Congress.

The bills would have:

- Permitted federal and postal employees to continue their health and life insurance coverage upon retirement if they have at least 5 years of service before retirement, instead of the present 12 years requirement. Also retirement would be mandatory at age 70 with 5 years service instead of the present 15 years.
- Restored full annuities to retirees who are single in cases where the person they have designated to receive a survivor annuity have predeceased them. Married retirees already have this right.
- Given the right of counsel or other representation to federal employees during interrogation that could lead to adverse action.
- Exempted federal health insurance carriers from various states' health benefits requirements, thus reducing government employee health insurance premiums by an estimated 5 percent.

These bills were not earth-shakers but they were important. And most of them were unopposed by the Ford administration.

However, the Senate committee never showed any enthusiasm for the bills.

One reason given was that the anti-federal employee mood in the Senate would have made bringing up such bills a wasted effort. But the House, where federal employees appeared to be even less loved, had approved the bills.

Another reason was that during the last weeks of the session Majority Leader Mike Mansfield forbade Senate committee meetings without leadership approval and this prevented any last-minute action by the civil service group.

In any event, the bills are dead and this is a shame. They were really non-controversial, cost little or nothing, and would have benefited a substantial number of employees and retirees.

"HOLD" ON BACK PAY CLAIMS—Everything is "hold" again on the back pay claims of federal employees assigned to higher grade jobs for more than 120 days.

In a series of on-again, off-again shenanigans that would make any bureaucrat worth his salt proud of the confusion compounded, these employees still don't know if their claims will be honored.

Some months ago the General Accounting Office issued decisions which held that employees assigned to higher grade jobs for more than 120 days were entitled to back pay. As a result of this decision, thousands of employees filed such claims with their agencies.

The GAO based its decisions on a Civil Service Commission's appeals board ruling that such assignments of more than 120 days constituted temporary promotions and thus the employees had to be paid the higher rates.

Published weekly except the last week in December and the first week in January. FEDERAL EMPLOYEES' NEWS DIGEST at 7115 Leesburg Pike, Falls Church, Virginia 22043. Second Class postage paid at Falls Church, VA and additional mailing offices.

SUBSCRIPTION RATES

2nd class mailing (in U.S. only).....\$12.00 per year.
1st class mailing.....\$16.00 per year.

Mail all communications and orders to:

FEDERAL EMPLOYEES' NEWS DIGEST, INC.

P.O. Box 457

Merrifield, Va. 22116

Telephone (703) 533-3031

However, the Supreme Court subsequently in a case involving wrongful job classification ruled that employees whose jobs were wrongly classified were not entitled to back pay.

This threw the ball back to the GAO and the CSC as well as the Justice Department. After conferring, officials from these agencies felt that the high court ruling did not apply to illegal assignments of more than 120 days.

However, the GAO asked the CSC to decide whether it agreed with its appeals board ruling that such assignments constituted temporary promotions and thus entitled employees to back pay.

So, until the three CSC commissioners make their own ruling, all of the employee claims have been put on "hold." We can't help wondering why it is taking the CSC so long to make up its mind. It's obvious that if commission rules prohibit assigning a federal employee to higher grade duties for more than 120 days unless it gives specific permission, that employees involved in these cases deserve back pay. But sometimes common sense and justice have little to do with government personnel actions.

NEW MILITANCY—A new era of militancy in federal labor-management relations has been signaled by the AFL-CIO American Federation of Government Employees during its biennial convention in Las Vegas, Nev.

In unprecedented action, the 2,000 delegates voted unanimously to give the AFGE's national officers the power to call strikes or other job actions among the 750,000 federal workers the union represents if federal pay raises this year or in the future are considered unsatisfactory.

To back up this action, the delegates voted a 70-cents-a-month per capita dues increase, 5 cents of which will go into a general strike fund.

The new militancy is reflected in the union's new choice of leaders.

Both Kenneth Blaylock, the new president, and Joseph Gleason, elected executive vice president, are long-standing advocates of union militancy. The AFGE is the largest union of federal government employees.

Blaylock, 41, is the youngest AFGE president in history and one of the youngest in the American labor movement. For the past four years he has been the union's national vice president for its 5th District, its largest, which comprises most of the Southern states. A former paratrooper, Blaylock is from Huntsville, Ala. He has a reputation as a hard-driving and aggressive union leader.

The AFGE convention also voted authorization for the union to organize members of the armed forces and employees hired by private contractors who work for the government.

However, the AFGE is expected to go slowly, especially at first, in organizing the military.

At the start of the convention, the union's executive council approved a work-by-rule policy, in other words a slowdown by federal workers, if President Ford didn't liberalize the 4.83 percent federal white-collar pay raise recommended by his pay managers.

But the angry convention went even further, authorizing strikes by its members if the raise was too small, and approving strikes in the future.

The frustration and anger towards the Ford administration for its treatment of federal employees was evidenced in several ways during the convention. For the first time in its history, the AFGE endorsed a presidential candidate—Jimmy Carter.

And on the next-to-last day of the convention, an almost incredible scene occurred.

A perfunctory telegram from the White House was read to the delegates in which a lower-echelon official said Ford regretted he could not accept the union's invitation to speak. The telegram was short and brusque, to the point that the delegates felt it was insulting.

Almost every word of the telegram was interrupted by thunderous boos, catcalls and hisses.